

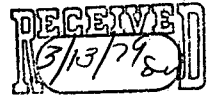


UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II

26 FEDERAL PLAZA

NEW YORK, NEW YORK 10007



Mike DeBono
Wayne
② file

MAR 8 1979

George J. Gregory, Esq.
Campus Office Park
479 Green Street
P.O. Box 302
Woodbridge, New Jersey 07095

Dear Mr. Gregory:

This letter is in reply to your letter of January 31, 1979 regarding the problems encountered by Kit Enterprises, Inc. in obtaining approval by the New Jersey Department of Environmental Protection ("NJDEP") of Kit's proposed chemical processing and treatment facility in Elizabeth, New Jersey.

As you are aware, the United States Environmental Protection Agency ("EPA") does not presently have a program regulating hazardous waste management facilities, except to the extent that those facilities come under the ambit of the Clean Air Act, the Clean Water Act, or similar environmental statutes. However, regulations which we anticipate will be promulgated within the next year under the Resource Conservation and Recovery Act ("RCRA") will create a comprehensive scheme for the regulation of hazardous wastes and those facilities which handle these wastes. At this time, states and localities have the sole authority to approve or disapprove of waste management facilities under their respective laws.

My staff has been in contact with the Solid Waste Administration of the NJDEP regarding the Kit application. That office has informed EPA that processing and review of the application is proceeding, but that the large number of other applications for approval that have been submitted to the State has prevented the taking of final approval/disapproval action as of this date.

I understand your frustration over the time that has elapsed since your filing of a completed application, but I am sure you realize that it is vital that extreme care be taken in the approval of hazardous waste management facilities because of the many dangers to human health and the environment which can result if these facilities are not properly

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designed and operated.

Your concern for environmental protection is appreciated.

At your service,

Eckardt C. Beck
Regional Administrator

cc: Ms. Beatrice Tylutki
Director
Solid Waste Administration
New Jersey Department of Environmental
Protection

✓ bcc: Mike DeBonis, 2 WA-SW
John Frisco, 2 AIR-WF
Lawrence W. Diamond, 2 ENF-WE